

Is fake news a threat to deliberative democracy? Partisanship, inattentiveness, and deliberative capacities

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Abstract: *Deliberative democracy is increasingly criticised as out of touch with the realities of partisan politics. This paper considers the rise of fake and hyperpartisan news as one source of this scepticism. While popular accounts often blame such content on citizens' political biases and motivated reasoning, I survey the empirical evidence and argue that it does not support strong claims about the inability of citizens to live up to deliberative ideals. Instead, much of this research is shown to support the deliberative capacities of citizens and points to their potential in helping to reduce the spread of false and misleading content.*

Key Words: *Partisan Bias, Motivated Reasoning, Misinformation, Deliberative Systems, Hyperpartisan News, Democratic Theory.*

1. Introduction

Deliberative democracy is increasingly criticised as being out of touch with the realities of partisan politics (Achen and Bartels 2017; Bagg 2018; Brennan 2016; Caplan 2011; Mutz 2008). Concerns over increasing partisanship and the dysfunctions it creates for modern democracies have produced much scepticism about the capacity of citizens to live up to deliberative ideals. The rise of political misinformation and its seeming prevalence in online spaces is one such source of this pessimism. The ease with which fake and hyperpartisan news have moved through social media platforms and the seeming willingness of citizens to accept even blatantly false content has led many to fear for the prospects of public deliberation. While a misinformed public is a central complaint of critics, deliberative democrats have themselves expressed concerns over how this content may undermine deliberative values (Chambers 2021; Curato et al., 2019; Dryzek et al. 2017; Forestal 2021b; McKay and Tenove 2020).

This paper considers the phenomena of fake and hyperpartisan news as one source of the more general scepticism facing deliberative democracy. In line with the claims of many critics of deliberative theory, popular academic and media accounts commonly lay the blame for such content on the partisan biases and motivated reasoning of citizens, and suggest that combating its spread requires that we more tightly regulate their online behaviour. While the research on motivated and biased reasoning is often presented as definitive by those sceptical of deliberative democracy, I argue that the evidence concerning fake and hyperpartisan news paints a (cautiously) more optimistic picture. Rather than providing unequivocal support for the partisan biases of citizens, much of this evidence instead suggests

that citizens do possess deliberative capacities and that these capacities may allow them to identify false and misleading content.

By surveying recent empirical research, this paper explores the reasons behind the consumption of fake and hyperpartisan news and examines what this means for deliberative democratic theory. To be clear from the outset, I will not claim that this empirical work is definitive or universally supportive of deliberative ideals. Instead, my aim is to offer a corrective to popular accounts in democratic theory which make strong claims about the limited abilities of citizens. Through an analysis of empirical work often overlooked by the critics, I argue that even when considering the troubling phenomena of fake and hyperpartisan news, we have good reason to question their strong scepticism about citizens' deliberative capacities. The paper therefore aims to show that these phenomena may pose less of a threat to deliberative democracy than is commonly supposed, while also offering a response to a more general pessimism concerning citizen bias and incompetence.¹

The paper proceeds as follows. Section 2 defines key terms and sets out the general threats of fake and hyperpartisan news for deliberative values. Section 3 introduces the *partisan account* which lays blame on citizens' political biases and spells out its negative implications for deliberative theory. I argue this view aligns with much scepticism of deliberative democracy, implicates democratic debate in the spreading of misinformation, and suggests solutions which aim to restrict citizen deliberation. Section 4 then argues that the empirical evidence does not clearly support critics' claims about hopelessly biased citizens, and that much research instead supports an alternative *inattentive account* which focuses on a lack of reflection. This alternative is not unproblematic for deliberative theory, and Section 5 analyses its implications. In Section 6, however, I argue that its upside is that it offers a more optimistic picture of the deliberative capacities of citizens and suggests these capacities may even help to address the threats of fake and hyperpartisan news. Section 7 then ends by offering practical examples of how these capacities can be utilised. While these proposals exist in the literature, I argue they should be seen as a family of deliberative responses by evaluating their potential with respect to both deliberative democratic theory and the inattentive account. Altogether, the paper claims that the phenomena of fake and hyperpartisan news should not necessarily lead to scepticism about the ability of citizens to live up to deliberative ideals and that their deliberative capacities should instead be seen as one possible resource in fighting online misinformation.

2. Misinformation and Deliberative Democracy

This paper focuses on two subsets of online misinformation: fake news and hyperpartisan news.² While misinformation can be defined as any false, inaccurate or misleading information, fake news refers to

¹ This work therefore contributes to a broader literature defending the plausibility and epistemic merits of deliberative democracy. See, for instance, Benson (2019b, 2021), Chambers (2018), and Landemore (2013).

² Importantly, the paper draws on empirical work conducted specifically on fake and hyperpartisan news and does not therefore speak directly to connected issues such as conspiracy theories, superstition, and supernatural beliefs.

blatantly fabricated information which presents itself as credible news content, but without the normal procedural standards of news (Lazer et al. 2018; Ryan 2017). Such “news” can be created with political motivations of influencing public opinion or for economic reasons, such as driving internet traffic to certain websites (Rini 2017). While distributed through a range of media, fake news has been commonly associated with online social media platforms since the 2016 US presidential election and UK Brexit referendum. Hyperpartisan news, alternatively, is defined as coverage of real events but with a strong partisan bias which makes it highly misleading (Pennycook et al., 2020). It does not involve straightforward fabrications or falsehoods, but instead reports on actual events with a strong form of bias that leads to serious misunderstanding. While it is difficult to draw any clear line between biased and unbiased news, if the latter exists in any pure form, hyperpartisan news involves very strong and explicit forms of bias which significantly obscure the facts of the matter.

Much discussion of fake and hyperpartisan news concerns its impacts on the democratic process and it appears to raise particular challenges for deliberative democracy given the importance it places on a reasonable and open public discourse (Bächtiger et al, 2010; Chambers 1996; Dryzek 2002; Habermas 2015). For deliberative democrats, democracy should not involve only an aggregation of preferences through voting but also an equal and inclusive public deliberation where reasons are offered in support of alternatives, and where citizens can have their preferences informed and possibly transformed through discussion with others. This deliberation need not be confined to parliaments or citizens’ assemblies but can instead take place across a much broader deliberative or democratic system. Such a system will include structured political bodies as well as a more informal and open public sphere (including the online public sphere) and the everyday talk of citizens in homes and workplaces (Dryzek 2017; Mansbridge 1999; Parkinson 2006). According to Jane Mansbridge and colleagues’ (2012) influential approach, a deliberative system has three core functions, all of which can be potentially impacted by fake and hyperpartisan news.

The distribution of false information may, for instance, threaten deliberation’s *epistemic function* which refers to the production of preferences, opinions and decisions which are informed by facts, logic and good reasoning. If false news stories are broadly shared and believed, then this may reduce the quality of opinion formation within the public sphere, as well as the transmission of reliable information to more formal decision-makers (Chambers 2021). The often inflammatory nature of this material also means that it can weaken a deliberative system’s *ethical function* of promoting mutual respect and the *democratic function* of promoting an inclusive political process (McKay and Tenove 2020). Fake and hyperpartisan news stories often target marginalised groups and reinforce prejudicial stereotypes which undermine the standing of certain citizens. While compromising mutual respect, these false stories can also reduce citizens’ ability to be heard or listened to in public debate, therefore threatening their inclusion as equals.

While there is a potential for these problems, it is important to recognise that the empirical evidence on the prevalence of fake news is much less dire than earlier discussions feared (Grinberg et

al., 2019; Guess, Nagler, and Tucker 2019), and it may even be decreasing on some social media platforms (Allcott, Gentzkow, and Yu 2019). There is also no clear empirical evidence that fake news is significantly impacting voting intentions or electoral outcomes (Bovet and Makse 2019; Cinelli et al., 2020; Allcott and Gentzkow 2017). A likely reason for this lack of impact is that the simple presence of such content does not mean that it is believed or given any weight by its readers. It may also reflect how citizens not only draw on their direct political knowledge when making voting decisions but also rely on a range of more informed actors within a democratic system – from political parties to social movements and unions.

While nightmarish scenarios concerning electoral impacts must therefore be treated with suspicion, deliberative democrats should not too quickly dismiss the potential threats of online misinformation. Firstly, while fake news is less prevalent and influential than often feared, hyperpartisan news is likely much more common. Secondly, even if electorally inconsequential, deliberative democrats remain concerned for the deliberative quality of the public sphere, and this content can still weaken public discourse in other important ways. For instance, fake news has been found to undermine public education over COVID-19 and reduced the intention of some to get vaccinated (Loomba et al 2021), and to the extent that it targets marginalised groups, it still represents what Owen and Smith (2015: 223-226) call a “deliberative wrong” towards those individual citizens. There have also been concerns that belief in the prevalence of false and unreliable news may undermine trust in both democratic institutions and credible media sources, even if its content is not believed by most citizens (Brown 2023; Reglitz 2021). Thirdly, some of the most concerning threats posed by this content do not depend on its impacts but its causes. The reasons why individuals consume and share this content can tell us about how serious and resolvable its challenges are, but also about the capacity of citizens to live up to deliberative democratic ideals. It is this last challenge which I wish to take up here.

3. The Partisan Account

Why are people willing to believe and share false and inaccurate news, despite its often blatantly untrue or easily verifiable content? One popular answer, among both experts and media commentators, is that it is driven by individual level partisan bias (Kahan 2017; Van Bavel and Pereira 2018; The Economist 2018; Taub 2017). This partisan account argues that people are not reliable truth-trackers, but rather motivated reasoners who desire confirmation of their political identities, to win and defeat their political foes, and to never admit fault. Rather than approaching information on social media through a critical and impartial lens, individuals are said to engage in “identity-protective cognition” in which they resist information which contradicts their pre-existing political views and too easily accept content which reaffirms them (Kahan 2012; Kahan, Jenkins-Smith, and Braman 2011; Sherman and Cohen 2006). Linked to a range of cognitive biases – such as confirmation bias, in-group bias, and desirability bias –

motivated reasoning is said to make democratic citizens only too happy to believe and share falsehoods as long as they confirm their political identities.

Accounts of partisan reasoning are argued to have empirical support from experimental studies. People have been found, for instance, to be more likely to accept news which is concordant (rather than discordant) with their political partisanship (Pereira, Van Bavel, and Harris 2018; Vegetti and Mancosu 2020), to debate arguments which are inconsistent with their partisan views while passively accepting consistent arguments (Strickland, Taber, and Lodge 2011), and to resist factual corrections of their incorrect partisan beliefs (Nyhan and Reifler 2010). Such evidence suggests that citizens care more about the protection of their partisan identities than they do for accuracy or truth.³ They are therefore happy to accept false and misleading content, as long as it supports or reaffirms their sense of political identity.

This partisan account of fake and hyperpartisan news is consistent with the views of many democratic theorists who are critical of deliberative democracy (Achen and Bartels 2017; Bagg 2018; Brennan 2016; Caplan 2011; Mutz 2008). These authors argue that citizens will fail to live up to deliberative ideals, and they often point to research on motivated reasoning and partisan bias to support these claims. The conception of citizens found in deliberative theories sees them as able, at the very least, to reflect on the strength of the arguments and evidence they are presented with. Deliberation is a “distinctive form of reasoning” which requires one to internally reflect on the quality of reasons and claims – what Goodin (2000) calls “deliberation within” – to exchange reasons and claims with others – collective or group deliberation – and to again internally reflect on what others have presented (Manin 2005: 4). To attend to the force of reasons, however, citizens require a level of impartiality or neutrality which conflicts with the picture painted by partisan psychology. Rather than reflecting on the quality of politically relevant information offered up in deliberation, they will likely stick to their pre-existing views and accept only that information which confirms their partisan identities. On the partisan account, then, fake and hyperpartisan news appears to be only an extreme version of the more general problem highlighted by the critics of deliberative democracy. Because people value their partisan commitments over accuracy, democratic debate is unlikely to track the truth, and citizens are likely to accept even blatantly untrue content as long as it supports their political identities.

Of course, not all forms of partisanship are unproductive for deliberative democracy. At their best, parties and partisans organise around policies, justify them with general reasons, and engage with the reasons of others. They can therefore aid the formation of public opinion and promote deliberation in the public sphere (Rosenblum 2010). The tendency of partisans to commit to certain positions may also be necessary for political change (White and Ypi 2016). The partisan account, however, points to unproductive forms of partisanship. Even if parties promote general reasons this will not aid the public

³ While I will not press it here, one objection to these accounts is to question whether the influence of identity on political beliefs is always epistemically dysfunction. See, for instance, Chambers (2018) and Benson (2023).

sphere if citizens themselves simply dismiss all discordant information out of hand. Similarly, while commitment may be important to political change, if citizens are hardwired partisan reasoners, we can have little faith that they will commit to reasonable and informed projects. Partisanship of this kind will therefore corrupt rather than aid the ideal of deliberative democracy.

Worse still, strong versions of the partisan account suggest that attempting to engage citizens in deliberation may only increase the acceptance and sharing of fake and hyperpartisan news. Following dual-process theories, it is common to distinguish between more automatic System 1 cognitive processing based on intuition and immediate responses, and more effortful System 2 processing which is more deliberate and engaged (Kahneman 2011). When we take fast and automatic decisions, we are therefore engaging in System 1 cognition, and we are engaging in System 2 when our decisions are slower and more considered. Political biases are often associated with System 1, based on heuristics and cues (Zaller 1992; Gastil et al. 2011). However, according to a now influential approach to motivated reasoning – known as Motivated System 2 Reasoning – more explicit forms of reflection may only increase individuals' propensity to engage in self-justification. This is because increasing reflection only makes individuals “better at fitting their beliefs to their group identities” and supplies them with more resources to “fight off counterarguments” (Kahan 2012: 409). In other words, trying to engage citizens in greater deliberation is likely to intensify the partisan assessment of information because it leads people to find further reasons to justify identity-consistent claims. System 2 processes therefore “magnify” political differences as individuals put more effort into “identity self-defence” and become more effective at selecting information concordant with their partisan views (Kahan 2012: 408-409). Increased analytic thinking, for instance, can lead to greater political polarisation over topics such as gun control and climate change (Kahan et al., 2017).

The conclusions of the partisan account are, therefore, in a strong sense anti-deliberative. Whether it is internal deliberation with oneself or external deliberation with others, this account suggests engaging citizens in more effortful reflection about political information will lead them to consume and exchange more, not less, false and inaccurate content. Fake and hyperpartisan news is not therefore simply a threat to the quality of a deliberative system but is, in part, caused by citizens actively discussing and reflecting on political information. That is to say, engaging citizens in political deliberation is part of what drives this misinformation and attempting to increase the deliberativeness of the online public sphere would only make things worse. The partisan account and critics of deliberative democracy do not completely rule out forms of deliberation which can control for such biases. However, they do suggest that this is a very difficult task and perhaps only possible in exclusive and professionalised settings, such as those of organised science (Bagg 2018). The wish of deliberative democrats that citizens give more consideration to political issues may therefore only increase their tendency to consume false and misleading content. In other words, deliberative democracy is part of the problem.

Although normative prescriptions cannot be logically read off psychological accounts, these anti-deliberative conclusions certainly sit uneasily with the deliberative view that citizens should be trusted to engage in political debate and to evaluate political reasons and evidence. Instead, they see citizens as necessarily incapable of such tasks and suggest a need to more greatly regulate public deliberation and control the online public sphere. A common set of responses to the growth of online misinformation looks to professional fact-checkers or social media companies to evaluate and screen online content, and such solutions have been adopted by platforms such as Facebook (2021). If false news stories spread because of the inherent biases of citizens, and these biases can only be mitigated in controlled and professionalised settings, then these forms of elite gatekeeping appear as only a natural response. The partisan account also suggests that censorship may be a more effective form of gatekeeping than less restrictive measures, such as content ratings or warnings. In what is known as the “backfire effect”, people who believe incorrect but partisan consistent statements have been found to not only resist correction, but to actually increase their level of belief (Nyhan and Reifler 2010). Partisan reasoning therefore raises doubts about the effectiveness of warnings or corrections, pointing towards more explicit forms of elite restriction which allow either social media firms or government to censor what citizens can view and share online.⁴

There is, of course, a wide ranging debate on the appropriate role of experts and professionals in a deliberative democracy (Christiano 2012; Moore 2017), as well as the role of professional journalists in organising political information (Bohman 2000; Habermas 2006). Without wading too far into these broader debates, the kind of restrictive elite gatekeeping suggested by the partisan account can at least be seen as presenting challenges to the deliberative perspective. Lighter measures such as the use of warnings or the flagging of problematic content, for instance, can be seen as a form of expert testimony which citizens can choose to consider and accept, and some reliance on the testimony of others will be essential in any large and complex society (Anderson 2011; Benson 2019a). The censorship of certain material by either government or social media companies, alternatively, represents a more significant restriction of public deliberation which remains highly controversial. This is firstly due to the risk of abuses by those granted authority to censor news stories. The ambiguity surrounding the determination of what counts as fake and hyperpartisan news leaves room for the unwanted restriction of public debate in line with political and corporate interests. Secondly, by relying primarily on elite gatekeepers these kinds of solutions also tend to minimise the role of citizens in managing their own discourse and in determining what counts as a politically relevant fact (Forestal 2021a). Instead, the policing of democratic debate is outsourced to social media firms, judges, or government bodies,

⁴ While in North America and Europe the removing of false content is generally associated with social media platforms rather than direct regulation by the state, legislation which would allow judges to order the removal of inaccurate content has been proposed and debated in France (for discussion see, Brown 2023). State censorship can also be found in other contexts, such as “anti-fake news laws” in Singapore and Malaysia (Ong, Tapsell, and Curato 2019).

who then control which claims are relevant and reliable. Rather than trusting citizens to decide for themselves what information is important to forming opinions about public issues, a class of elite gatekeepers is empowered to evaluate political information on their behalf and then restrict public deliberation accordingly.

Again, deliberative democracy allows for a range of positions on the appropriate relationship between citizens and experts as well as on the legal regulation of political debate. In a non-ideal world where certain actors purposefully promote misinformation, deliberative democrats may even find the prohibition of certain harmful content necessary, all things considered.⁵ It has, for instance, been argued that legal prohibition may potentially promote certain forms of individual autonomy and allow for a more effective epistemic relationship between citizens and experts (Brown 2023). However, a primary reliance on such measures can at least be seen as coming with certain democratic costs and risks from a deliberative perspective, costs and risks which other solutions may not need to involve (as I argue later).

By suggesting a positive relationship between public deliberation and misinformation, the partisan account suggests a very pessimistic view of the deliberative capacities of citizens and points towards more restrictive elite controls on online public debate. As a result, such positions tend to reinforce many of the concerns of democratic theorists who are highly critical of deliberative democracy. As Chambers (2021) notes, an understanding of fake news based on partisan bias and motivated reasoning contributes to a broader and growing conversation about the pathologies and incompetencies of the average democratic citizen. This conversation often involves an argument for reducing the political influence of the public and can even take an explicitly anti-democratic form which advocates for the exclusion of biased and ignorant individuals from politics (Brennan 2016; Bell 2016). Even putting fervently anti-democratic positions aside, the partisan account does suggest that fake and hyperpartisan news may be just an extreme case of a more general failure of citizens to live up to deliberative ideals and effectively engage in politics.

4. Challenging the Partisan Account

The empirical evidence for partisan bias and motivated reasoning is often presented as definitive by democratic theorists critical of deliberative democracy. Brennan (2016: 37), for instance, claims there is a “overwhelming consensus” that citizens evaluate information in “deeply biased, partisan, motivated ways”. Mutz (2008: 535), alternatively, states that deliberative theory is “clearly” inconsistent with evidence concerning motivated reasoning, while Achen and Bartels (2017: 302) go as far as to compare reforms based on citizens’ deliberative capacities to “flat-earth pronouncements”. Despite these unequivocal claims, these critics overlook a significant literature running counter to the picture of

⁵ Certain forms of regulation may also be more easily justified than others. Removing fake accounts or bots, for instance, does not necessarily involve the restriction of a citizens’ speech, while the removal of explicit hate speech may be defended on democratic grounds.

citizens as hopelessly biased, and this includes much of the evidence concerning the phenomena of fake and hyperpartisan news.

Firstly, while much of the evidence for politically motivated reasoning is based on the association between the acceptance of information and political identification, partisan bias is not the only possible explanation for this fact. On a Bayesian account of reasoning, for instance, it is only rational to base our acceptance of new information on our prior beliefs about a case (Tappin, Pennycook, and Rand 2020; Gerber and Green 1999). Given that prior beliefs will differ for those on different sides of the political spectrum, it is reasonable that they will tend to accept different kinds of information. This is not to say that citizens are perfect Bayesian reasoners, or that their identities have no influence, but rather that an association between information and political identification does not provide clear evidence for partisan bias and motivated reasoning. Bayesian reasoning has been shown, for instance, to be able to explain observed partisan differences in beliefs concerning climate change (Druckman and McGrath 2019). An alternative source of evidence for political bias is people's unwillingness to accept factual corrections to their political beliefs. However, larger recent studies find that people do generally revise their beliefs on receiving corrections and have failed to replicate much discussed findings such as the backfire effect (Wood and Porter 2019; Guess and Coppock 2020).

Despite this evidence, critics of deliberation may still claim that the increasing prevalence of false and misleading online content clearly demonstrates the deep roots of citizen bias. While we have seen that empirical work suggests such content is less prevalent than often feared, recent research on why people consume and share fake and hyperpartisan news also points away from partisanship. Pennycook and Rand (2021), for instance, argue that the spread of such content is best explained through classical views of reasoning. Like the partisan account, classical views also distinguish between more automatic and intuitive System 1 cognition and more effortful and deliberate System 2. Unlike the partisan account, however, they see System 2 as correcting for the mistakes of System 1. Rather than seeing System 2 processes as involving more motivated reasoning and identity-protective cognition (i.e., motivated system 2 reasoning), classical accounts see them as correcting poor intuition and supportive of sound judgement. The latter view therefore predicts that greater reflection will help individuals to make better judgments about the accuracy of information.

There is now much evidence supporting the classical reasoning views when it comes to fake and hyperpartisan news. Those who are more reflective are found to be less likely to believe false news content, better able to distinguish hyperpartisan news from more neutral content, and to do these things irrespective of the news' consistency with their political beliefs (Pennycook and Rand 2019b; Bronstein et al., 2019; Ross, Rand, and Pennycook 2021; Pehlivanoglu et al. 2021). In other words, when people are more deliberative, they are generally better able to identify false or highly biased news, irrespective of partisan identity. Experiments manipulating levels of deliberation also show a link between greater deliberation and reduced belief in false (but not in true) news content, regardless of alignment with political ideology (Bago, Rand, and Pennycook 2020). Similarly, asking individuals to rate the accuracy

of news headlines reduces the sharing of false headlines (Pennycook et al. 2021), and analytical thinking has been associated with more discerning sharing intentions, including on Twitter (Ross, Rand, and Pennycook 2021; Pennycook et al., 2020; Mosleh et al. 2021).⁶ A study of COVID-19 misinformation in 16 countries, for instance, found that those with a more analytic cognitive style were better at discerning truth from falsehood, while subtle prompts to consider accuracy were found to improve the quality of news people were willing to share (Arechar et al. 2023).

A substantial amount of research concerning fake and hyperpartisan news therefore points away from strong forms of partisan bias and motivated system 2 reasoning. Instead, it supports classical accounts of reasoning which suggest this content is accepted and shared due to a lack of deliberation and reflection on the part of individuals. According to this work, the problem is not that democratic citizens are unable to engage in unbiased reasoning about the quality of news content. Instead, the problem is that people are simply not engaging in such reasoning and deciding to accept and share misinformation without much consideration for its accuracy.⁷ People appear to be inattentive rather than biased. Despite the definitive claims of deliberative democracy's critics, then, the evidence concerning fake and hyperpartisan news does not clearly support the view that democratic citizens are necessarily motivated political reasoners and that their biases will trump a concern for accuracy. While much of the general evidence for strong political bias can be explained by other means or has not been replicated, even the troubling phenomena of fake and hyperpartisan news do not suggest a picture of citizens as deeply or inevitably biased.

Importantly, I do not wish to repeat the mistake of the critics by claiming the empirical evidence universally points in one direction. In fact, while most citizens may be inattentive, there is evidence of a smaller group of highly politically engaged citizens who display higher levels of partisanship (Hannon 2022). However, this work also suggests that this set of partisan political junkies does not represent most citizens nor the most politically sophisticated, and the evidence just reviewed suggests that partisan bias may not be the core reason behind fake and hyperpartisan news. While I do not claim that the empirical research is definitive, I have attempted to show that the evidence we currently do have concerning fake and hyperpartisan news does not support the definitive claims of the critics.⁸ Much of

⁶ These studies also question critiques of deliberative democracy based on the rational ignorance of voters (e.g., Somin 2010), as they suggest individuals can improve their information consumption without any significant changes to their incentive structure. See Section 7 for examples.

⁷ It is worth re-emphasising that my focus is on these limited forms of misinformation and not others which may involve different dynamics. Conspiracy theories, for instance, may often involve more engaged and motivated actors who “do their own research”. There is some evidence, however, that more deliberation may even limit the acceptance of new conspiracy theories (Bago, Rand, and Pennycook 2022).

⁸ For an opposing view, see Osmundsen et al (2021). This paper tests an “ignorance theory” which partially overlaps with the inattentive account. While some of their measures, such as basic political knowledge, may not directly measure reflection, they do consider Cognitive Reflection Tests and find no connection with sharing fake news on Twitter. A possible explanation concerns the significant distractions present in social media platforms (discussed further below). CRT scores may not therefore carry over to social media environments which actively deter users from engaging in reflection.

this research points to a problem of inattention rather than bias, and it is important to also consider its implications for deliberative democratic theory.

5. The Inattentive Account

Much of the empirical evidence supports an alternative inattentive account of fake and hyperpartisan news. What, however, are its implications for deliberative democratic theory? If democratic citizens can distinguish false or highly biased news content when moved to consider its accuracy, then the partisan account's conclusion that increased deliberation is positively associated with misinformation garners much less support. While this is positive, the inattentive account still suggests that the spread of fake and hyperpartisan news is due to a deliberative failure. This is not the failures of biased and partial reasoning popular among the critics, but a failure of not engaging in deliberative reflection. The account suggests a tendency on the part of some citizens not to consider or deliberate over the accuracy of politically relevant information.

For a conception of democracy which often makes significant cognitive demands of citizens, this tendency is a concern. Deliberative democracy requires that citizens individually reflect on the quality of arguments and information put forward in the public sphere and engage in reasonably informed debate and discussion with others (Dryzek 2002; Bächtiger et al, 2010). Deliberation should be "aimed at producing reasonable, well-informed opinions" and citizens should be willing to revise their preferences "in light of discussion" and "new information" (Chambers 2003: 309). The inattentive account, however, raises doubts about whether democratic citizens are always likely to engage in such behaviour, at least within online platforms. In fact, it suggests some democratic citizens will often not engage in even relatively undemanding forms of deliberation. Simply asking individuals to consider accuracy, for instance, increases the identification of fake news, in the absence of providing any further information or time for research and fact-checking (Pennycook et al. 2021). Those who accept false and often inflammatory stories therefore seem to be doing so even when this content can be verified with a minimal amount of consideration.

Importantly, deliberative democrats do not require that all forms of political discussion in a society amount to full deliberation, particularly on the systemic approach adopted here. Such an approach predominantly judges deliberation at the level of the system as a whole, rather than its constitutive parts (i.e., a parliament, protest, or social media platform). This allows for divisions of cognitive labour and an economy of reasoning where the cognitive burden of weighing issues and information is shared across the system (Warren and Gastil 2015; Elliott 2020; Benson 2019b). Habermas (2015), for instance, placed much of the burden of full deliberation on formal political institutions, allowing the public sphere to involve more unstructured and distributed forms of discussion. A systemic view can therefore alleviate many concerns for the inattentiveness of citizens, although it does not eliminate them entirely. Discussions within the online public sphere still requires a certain level of reflection on the part of citizens, even if this does not need to amount to full

deliberation on a systemic view. As discussed in Section 2, if citizens unreflectively accept false content, then this has the potential to reduce the possibilities for informed public opinion, as the case with the COVID-19 pandemic has shown (Loomba et al 2021). Similarly, the inattentive sharing of false news stories which target marginalised groups still amounts to a deliberative wrong against those individuals and may affect their treatment offline if it reinforces negative attitudes and stereotypes. So, while not all parts of a democratic system need to be fully deliberative, citizen inattention online can produce problems for the deliberativeness of that system.

What, however, is the source of citizens' inattention? As Pennycook and Rand (2019b) often suggest, it may be due to "laziness" on the part of individuals who are unmotivated to consider political information. However, inattention can also result from the structure of social media sites, and this may explain why people are more likely to encounter such content on these platforms. Consistent with dual-process theories, individuals can be prompted to be more or less reflective by their environment. Online platforms which use constant novelty to seize small bites of user attention may therefore contribute to inattention. The immediacy with which they allow content to be shared, the speed of feedback through "likes" and "retweets", the volume of political and non-political information provided, and the displaying of emotive headlines without context, may all contribute to less reflection and more misinformation. Citizens are not simply lazy in these spaces, but "distracted". While more prevalent, false news stories are not unique to the online sphere which suggests the structure of social media platforms is not the only source of inattention. Laziness may therefore remain a factor but so may complexity. Given the range of issues on the political agenda, the volume and sophistication of politically relevant information, as well as the many competing demands any individual has on their time and energy (e.g., work or care for dependants), citizens simply cannot think through every issue and piece of information for themselves. While the structure of social media may contribute to this complexity, there is also an underlying complexity when it comes to politics. A lack of attention to accuracy may therefore be a reasonable response to being "overwhelmed" as well as distracted or lazy.

Another threat presented by these sources of inattention is elite manipulation. When judging information in unreflective ways, individuals often rely on heuristics or shortcuts to make decisions about what to believe. One such heuristic is the views of trusted opinion leaders, who are often demarcated on partisan lines. The use of these cognitive shortcuts is not in itself problematic. They often allow citizens to function more effectively in complex environments and can therefore play a productive role in the economy of deliberative reasoning (Niemeyer 2018). Placing trust in those who share one's partisan beliefs is also not necessarily unreasonable when it comes to the normative issues of politics (Rini 2017). While the inattentive account does not therefore exclude all forms of partisan reasoning, this does not imply identity-protective cognition, but rather the use of heuristics to deal with complexity. What is problematic is the unreflective use of such heuristics, and the possibility this creates for elite actors to abuse their positions. Although citizens possess agency and should not be seen as

helpless victims of elite manipulation, if they follow opinion leaders without much consideration, then they will be more susceptible to strategies which weaponise fake and hyperpartisan news.⁹

These strategies may, in part, help explain the asymmetric consumption of false and misleading content, which may appear curious if consumption was due purely to general inattentiveness. Fake news is much more significant on the political right, with conservatives consuming a greater proportion of such content and placing less trust in mainstream media sources (Allcott and Gentzkow 2017; Guess, Nyhan, and Reifler 2020; Swift 2016). Partisan accounts may look to explain this asymmetry by pointing to certain psychological traits among conservatives, such as a greater need for closure or a shared reality among their in-groups, which are correlated with increased motivated reasoning (Van Bavel and Pereira 2018).¹⁰ This explanation becomes less convincing, however, if motivated reasoning plays less of a role in the acceptance of false stories. An alternative is that the asymmetry results from a greater effort on the part of certain elite actors to promote misinformation and abuse their position as trusted opinion leaders. For instance, while supporters of the Trump and Vote Leave campaigns consume more fake news, these campaigns themselves have also been linked to a greater tendency to promote false content (Höller 2021). Right-wing media has similarly been found to be more likely to promote inaccurate content and less likely to offer corrections and retractions (Benkler, Faris, and Roberts 2018). In fact, given the significant asymmetries in the presence and consumption of fake and hyperpartisan news, forms of elite manipulation are likely a key factor in the rise of such content (Chambers and Kopstein 2022). Inattention is likely one reason behind the success of such strategies, with a lack of reflection leaving citizens vulnerable to the strategic behaviour of elites.

6. Latent Deliberative Capacities

Given the challenges presented by the inattentive account, why should it make us more optimistic in respect to deliberative democracy than the accounts offered by the critics? The answer relates to what this account tells us about the deliberative capacities of citizens and their potential role in addressing problems of fake and hyperpartisan news. The partisan account suggested citizens lack deliberative capacities (outside of highly controlled settings) and that encouraging deliberative reflection among the public will only increase misinformation. The inattentive account, alternatively, suggests citizens can identify fake and hyperpartisan news when they reflect on its accuracy. Although they may accept false news stories when unreflective (i.e., when engaging in System 1 reasoning), they can more effectively evaluate and reject such content when more consciously reflecting on its accuracy (i.e., when engaging in System 2 reasoning).

The inattentive account therefore suggests that citizens have *latent deliberative capacities* which allow them to distinguish inaccurate from accurate content when engaged. This idea contrasts

⁹ It may also leave them vulnerable to other elite strategies, such as polarising discourses (see, Benson 2023).

¹⁰ Other experimental work does not find significant differences in bias between liberals and conservatives (Ditto et al. 2019).

with critics' claims about hopelessly biased citizens but is consistent with much deliberative theory. Deliberative democrats increasingly recognise that deliberative reasoning comes with a cognitive burden and that citizens cannot be expected to engage in such reasoning at all times (Warren and Gastil 2015; Mansbridge et al. 2012). However, they also recognise that citizens possess the capacity to effectively engage in deliberative reasoning in certain settings. Unlike the partisan view and that of deliberative democracy's critics, the inattentive account allows for the possibility that citizens can live up to deliberative ideals. It shows that the phenomena of fake and hyperpartisan news does not imply that citizens lack the capacities required of them by deliberative democracy. Instead, it suggests that citizens can exercise such capacities when they are engaged and attentive.

These latent deliberative capacities therefore present the possibility for more *deliberative solutions* to the problems of fake and hyperpartisan news, which focus on citizens not gatekeepers. I define deliberative solutions as those which target the latent deliberative capacities of citizens so as to encourage them to themselves evaluate the accuracy of online news content.¹¹ Such solutions do not principally aim to restrict what citizens can view and share in the online public sphere, as is the case with elite gatekeeping, but rather to realise citizens' own abilities to identify false and misleading content and regulate their own online spaces. They do not necessarily aim to produce high-end deliberation, such as that found in deliberative mini-publics, as not all spaces must meet this standard. They do, however, attempt to promote reflection on accuracy by making changes to the structure of online platforms which remove or (more likely) reduce the different sources of inattentiveness which are currently present. By targeting citizens' latent deliberative capacities and increasing attention, these solutions can be seen to enhance or support deliberative reflection, rather than restrict it. While such solutions are not needed in every online environment, they can form part of a wider policy package aiming to combat false and misleading content in those spaces where it is found to be most problematic.

Much of the evidence concerning fake and hyperpartisan news not only questions the critics' strong cynicism over the deliberative capacities of citizens, but also suggests that such capacities can play a role in policies aimed at reducing the spread of such content. To help illustrate this latter possibility, the rest of the paper considers three practical examples of deliberative solutions. While versions of these proposals exist in the literature, I evaluate them in respect to deliberative democratic theory and the inattentive account. The first proposal, for instance, has been offered as a deliberative democratic approach to internet reform but not in respect to problems of inattention, while the others have been considered in light of inattention but not deliberative democracy. Bringing such considerations together, I argue that they should be understood as part of a family of deliberative solutions which can help respond to the problems of inattention.

¹¹ Ferretti (2023) similarly suggests an approach focused on supporting citizens to make decisions about political information, although this is based on a Lockian ethics of beliefs and citizenship rather than deliberative democracy.

7. Evaluating Deliberative Solutions

Much criticism of social media platforms concerns their tendency to locate users in homogenous environments and many proposed redesigns therefore focus on increasing the diversity of perspectives encountered and discussed. Such proposals can be found in the work of those informed by deliberative democracy, such as Sunstein (2018) and Forestal (2021a). Forestal, for instance, criticises Facebook for keeping users in individualised news feeds curated for their personal profiles and interests, and suggests opening up spaces in such sites to allow for more diverse discussions between users. These authors offer their own arguments for the benefits of solutions based on what I will call *opening deliberative spaces* (e.g., their ability to combat group polarisation effects), but they can also be evaluated in respect to the inattentive account.

The inattentive account suggests that a solution's effectiveness in addressing fake and hyperpartisan news will depend on whether they address the sources of citizens' inattention and therefore engage their latent deliberative capacities. In terms of opening deliberative spaces, this solution may target laziness and distraction as sources of inattention. By keeping users in homogenous environments, the current structure of many social media sites allows users to accept information without significant consideration and share it with likeminded contacts who are less likely to question it. If more heterogeneous groups are allowed to more easily interact or view each other's discussions, however, this could increase the likelihood that users view conflicting news stories, see factual corrections, or view challenges to the accuracy of news content. These conflicts, corrections and challenges may then encourage otherwise lazy or distracted users to give further consideration to accuracy. There is, for instance, much experimental evidence that diverse forms of group discussion can counter many of the flaws in individual System 1 reasoning (Landmore and Mercier 2012).

Allowing users to be exposed to more diverse perspectives and discussion could therefore combat laziness and distraction, and help users engage their latent deliberative capacities when evaluating news content. To be effective, however, such redesigns will need to avoid increasing the complexity of such sites and therefore contributing to the third source of inattention, being overwhelmed. Increasing the range of perspectives encountered need not involve increasing the overall volume of content, however, nor does it require all users to engage with others, as long as they can view the discussions of those who do. It may therefore be possible for these solutions to combat laziness and distraction, while not adding to complexity.

According to the inattentive account, exposure to more diverse perspectives is only productive if it engages citizens' deliberative capacities. This suggests that the form this exposure takes will be important. Forestal (2021a), for instance, discusses promising examples of community interaction on Reddit, but Bail and colleagues (2018) find that exposure to opposing public officials and opinion leaders may actually increase partisan beliefs. The latter study therefore suggests that simply injecting

the content of often highly partisan and uncivil figures into users' feeds is unlikely to increase deliberative reflection. Instead, encounters need to address the points of view of those involved, rather than simply regurgitating partisan talking points, or they risk being quickly dismissed. Increasing attention is therefore more demanding than solely introducing users to alternative views. The more in-depth encounters between communities described by Forestal may provide one such example, but more empirical research could help identify the conditions under which opening deliberative spaces best promotes reflection.

A more empirically grounded alternative for increasing deliberative reflection is the use of what I will call *deliberative nudges*. These nudges involve making changes to individuals' choice architecture in order to prompt them to give greater consideration to their choices. In the context of fake news, these nudges look to encourage users to reflect more on accuracy when evaluating content. One experiment on Twitter, for example, sent messages to users asking them to rate the accuracy of one non-political news headline and resulted in raising the quality of the news these users went on to share (Pennycook et al. 2021). This nudge can be interpreted as targeting the latent deliberative capacities of users, prompting them to utilise their own ability to evaluate and filter information. Implanting similar deliberative nudges into online platforms may therefore increase the quality of news content which is consumed and shared. These could include messages asking users about the accuracy of news stories before they are able to share them, pop-ups asking users how they know a story is accurate, or the running of pro-accuracy advertisements (Pennycook and Rand 2021).

While there is evidence that nudges can reduce belief in false content, they have not been considered as deliberative democratic approaches. This may be because nudge policies have often been criticised as involving forms of manipulation which would conflict with deliberative values (Hausman and Welch 2010). I refer to these solutions as deliberative nudges, however, because they differ in important ways from conventional nudge policies. Rather than using people's cognitive biases to direct them towards predetermined outcomes (e.g., changing a default option to push people towards a particular pension plan), and therefore supplanting one person's will for another, these nudges aim to encourage individuals to exercise their own deliberative capacities so they themselves can determine what is accurate. Deliberative nudges are therefore deliberation enhancing, rather than restricting. They also do not stop anyone from sharing content if they choose to do so, and do not therefore represent forms of censorship or restrictions on what can be expressed in the public sphere. So, although some deliberative theorists may be critical of more conventional nudge policies, these kinds of nudges should be seen as deliberative solutions.

Like opening deliberative spaces, these solutions similarly address laziness and distraction as sources of inattention. They may, however, be less effective at combating those who are overwhelmed, given that they tend to add additional messages to the online environment. While not therefore likely to work on everyone, they could still make a significant impact as familiarity is a key factor behind belief in fake news (Smelter and Calvillo 2020). Decreasing the sharing of false or misleading news for even

a portion of users could therefore create knock-on effects as it reduces the number of times others view such content. Other factors may limit deliberative nudges in engaging deliberative reflection, however. They may, for instance, be less effective over time if they become overly familiar to users, and it may therefore be necessary to vary their form. Alternatively, if they become too disruptive to the user experience then they may cause people to exit those sites which apply them. While certainly a concern, the network monopoly effects of major social media platforms is likely to significantly reduce the threat of exit, and further research can help to determine the optimal volume of nudges. That said, deliberative nudges should be seen as a low cost and technologically feasible deliberative solution which directly engages citizens' latent deliberative capacities.

A third set of deliberative solutions can be referred to as *lay-crowds*. Empirical work has considered the extent to which the aggregation of individual judgements by laypersons may allow for more effective collective judgements of content accuracy. Some results are promising, with aggregations of lay-judgements showing a capacity to distinguish fake and hyperpartisan news sources from more reliable media, a good ability to rate the accuracy of news stories from their headline and lead, and a high level of agreement in these tasks with professional fact-checkers (Allen et al. 2021; Pennycook and Rand 2019a). In other words, lay-crowds can be as effective at identifying false and misleading content as forms of elite gatekeeping.¹² Social media platforms could therefore randomly select certain users to evaluate and rate news stories, and then aggregate their individual evaluations to generate content warnings or influence what is promoted by algorithms. There is now evidence that warnings can reduce the sharing of false content, for instance, and that people are generally responsive to corrections (Wood and Porter 2019; Nyhan et al., 2019).

Given it involves most users having content rated for them, this approach may not immediately appear to qualify as a deliberative solution. However, these lay-crowds can be seen to act in a similar way to how many deliberative democrats conceive of deliberative mini-publics. While it involves aggregated judgements rather than group deliberation, the lay-crowds approach randomly selects certain citizens to engage in greater reflection and then feeds this back into the system in a way which makes it productive for others. Such approaches would also avoid recent deliberative critiques of random selection as requiring blind deference to those selected (Lafont 2019), as lay-crowds only produce heuristics for others, rather than taking political decisions on their behalf. Common problems of self-selection which have confronted mini-publics may also be addressed by either paying users for their ratings or requiring them to rate a certain number of headlines as a condition for using a given platform. Unlike the first two solutions, then, this democratic approach is well suited to dealing with complexity as a source of inattention, as lay-crowds can perform cognitive labour on behalf of the rest of the system, and their judgements can be used to produce useful heuristics for those who are overwhelmed.¹³

¹² Godel et al (2021: 16) found less promising results, but also that lay-crowds can be improved with certain forms of machine learning.

¹³ Like deliberative nudges, this approach may have a knock-on effect for other users.

Lay-crowds may also be better suited to this task than traditional fact-checkers. Firstly, given the vast amount of content and the speed at which stories can “go viral”, it is unlikely that a large percentage of news content could be assessed by professional fact-checkers in a timely manner. Lay-crowds, alternatively, can draw on millions of social media users to rate much more content at a faster pace. While some selection procedure may still be required, such as reviewing content which has received complaints, lay-crowds are far easier to scale-up. Secondly, by randomly selecting citizens, this approach can generate legitimacy in a similar way to deliberative mini-publics. Rather than relying on an exclusive class of professionals and social media companies, content is rated by different groups of fellow citizens and every user would have the equal chance of being selected to take part.

Lay-crowds will have possible limitations in producing attention and deliberative reflection. Firstly, if users know their evaluations will be used to rate online content, then they may have an incentive to “game the system” in favour of news supporting their ideology or interests. This problem may be increased by a fear that one’s political opponents are engaging in such gaming or that one’s views are otherwise underrepresented. That said, early empirical work on this problem provides optimistic results (Epstein, Pennycook, and Rand 2020) and lay-crowds could be made politically balanced in an attempt to cancel out strategic ratings. Secondly, accuracy warnings (by lay-crowds or fact-checkers) can have negative effects if the absence of warnings come to be seen as implying the truth of untagged content (Pennycook et al., 2020), and therefore encourage other forms of inattention. Such problems may be dealt with through the specific design of warnings or by having lay-crowds influence what is promoted by algorithms. While these problems point to a need for further research into the effectiveness of lay-crowds if more generally adopted, they still retain considerable potential as a deliberative solution which utilises the deliberative capacities of certain citizens to benefit the wider system.

Relying on citizens themselves to assess the accuracy of content, as all these deliberative solutions do, will likely have some general limitations. For instance, people are unsurprisingly found to be better at identifying false news stories when their content is particularly implausible (Pennycook and Rand 2019b). This suggests deliberative solutions may push producers of fake and hyperpartisan news to become more sophisticated and create false content which appears more plausible while remaining highly misleading. Emerging technologies, such as “deep fakes”, could similarly bring a new generation of misinformation which lay citizens are less adept at identifying even when reflective. While these developments create challenges for all solutions (e.g., the additional time needed to identify deep fakes would magnify the scaling-up problems of professional fact-checkers) it will be important to reassess the effectiveness of deliberative solutions over time. As emphasised above, I have also not claimed that empirical work universally points to inattention as the source of fake news consumption, and there may therefore be other factors at play which we cannot expect deliberative solutions to address. While such approaches are unlikely to offer silver bullets, they can still make important contributions in attempts to reduce online misinformation and play an effective role as part of a broader policy package. A point of future research should therefore be to explore new and alternative deliberative solutions and how the

deliberative capacities of citizens can be best targeted in addressing the problems of inattention associated with fake and hyperpartisan news.

8. Conclusion

Deliberative democracy is often criticised for being out of touch with the partisan nature of contemporary democratic politics, and this paper has analysed fake and hyperpartisan news as one source of such criticism. While critics often present research on political bias and motivated reasoning as definitive, I have argued that even the troubling case of false and misleading news does not support their strong scepticism over citizens' deliberative capacities. While more empirical research is needed, much of the evidence we do have suggests that citizens can exercise deliberative capacities in identifying fake and hyperpartisan news, and that these capacities represent one important resource in helping to reduce this content's prevalence. The inattentive account is, of course, not universally positive for the aspirations of deliberative theorists, and this paper has also analysed the problems which inattention presents to deliberative democracy. Nevertheless, I have argued that this work offers a (cautiously) more optimistic picture of the ability of citizens to live up to deliberative ideals than that often painted by the critics of deliberative theory. While the phenomena of fake and hyperpartisan news may therefore remain a challenge for deliberative democracy, it does not support strong claims concerning citizens' inevitable lack of deliberative capacities.

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